

REMARKS

Claims 1-39 are currently pending in the application. Claims 1, 6, 24, 34, and 37 have been amended herein.

The disclosure has been objected to as not defining the term "engineered knowledge base" and the meaning of "engineered." It is respectfully submitted that the disclosure adequately describes these terms. For example, paragraph 26 states that "[t]he knowledge base can take the form of raw data collected from one or more different sources or the data can be processed into an engineered knowledge base in a variety of different ways. One type of processing is to filter the raw data through an excluded words database and to eliminate all redundant entries. Such an engineered knowledge base will be faster and more efficiently used in the context of the present invention than a knowledge base of raw data." It is thus submitted that the disclosure adequately describes the terms referred to by the Examiner.

Claims 6 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 6 has been amended to depend from Claim 5 to address this rejection.

Claims 1-39 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,137,911 (hereinafter referred to as "the '911 patent") to Zhilyaev.

Claim 1 is directed to a method for classifying an item, the item being a product and not being a document, the item having a plurality of attributes, wherein an attribute is not a word within a document, each attribute being a descriptor of a product, and each attribute having a value, the method comprising: (a) selecting an attribute of the item; (b) comparing the value of the attribute of the item to a set of possible attribute values, the possible attribute values being associated respectively, with item classifications; (c) selecting at least one item classification for the item based on the comparison; and (d) determining a confidence score for each selected item classification for the item.

It is respectfully submitted that the '911 patent does not anticipate the invention set forth in claim 1. The '911 patent is directed to the analysis and classification of documents and other textual entities, as indicated in the first sentence of column 1 of the '911 patent. The analysis and classification is performed by analyzing the text within the document to be classified, and determining a statistical distribution of words and phrases contained within the document as compared with a corpus of text formed by the documents, as indicated in the first sentence of the Abstract. It is text within the document itself which is analyzed, with the text of the document used to classify the document into various classifications. The '911 patent contains no teaching or suggestion of an item being a product and not being a document. To the contrary, the '911 patent requires that the classification be done for a document, as it is text within the document itself which is analyzed to determine the distribution of words and phrases from within the document. Furthermore, the '911 patent contains no teaching or suggestion of an item having a plurality of attributes which are not words within a document, each attribute being a descriptor of a product. Since the '911 patent does not recognize attributes which are not words from within a document, the '911 patent also does not teach or suggest selecting an attribute of an item, as required by claim 1. Consequently, the '911 patent also does not teach or suggest comparing the value of the attribute of the item to a set of possible attribute values, the possible attribute values being associated respectively, with item classifications. Furthermore, the '911 patent contains no teaching or suggestion of selecting at least one item classification for the item based on the comparison, or determining a confidence score for each selected item classification for the item. Additionally, the '911 patent contains no suggestion or motivation for a combination of any two or more of the steps of the method as claimed. Based on the foregoing, it is submitted that claim 1 is not anticipated by the '911 patent.

Claims 2-23 are dependent claims that each depend directly or indirectly from independent claim 1. Consequently, each of these claims is at least allowable for the reasons noted with respect to independent claim 1. Each of these claims may also be patentable for other reasons, and the applicants reserve the right to assert any such reasons in the future.

Independent claim 24 is directed to a method for classifying an item, the item being a product and not being a document, the item being associated with a plurality of descriptive terms, each descriptive term not being a word within a document, the method comprising: (a)

searching a reference list of descriptive terms to find descriptive terms corresponding to the descriptive terms associated with the item, the reference list of descriptive terms including at least one item classification for each descriptive term and a confidence score for each item classification of each descriptive term; (b) compiling the item classifications and associated confidence scores for each found corresponding descriptive term in the reference list to determine a confidence score for each item classification; and (c) ranking the item classifications for each found descriptive term using the compiled confidence scores.

It is respectfully submitted that the '911 patent does not anticipate the invention set forth in claim 24. Similarly as described above with respect to independent claim 1, the '911 patent is directed to classifying a document, with the text from within the document itself used as the basis for classifying the document. The '911 patent contains no teaching of an item being a product and not being a document. Furthermore, the '911 patent contains no teaching or suggestion of an item having a plurality of descriptive terms, each descriptive term not being a word within a document. To the contrary, the '911 patent requires that words from within a document be utilized in making a document classification. Consequently, the '911 patent does not teach or suggest searching a reference list of descriptive terms to find descriptive terms corresponding to the descriptive terms associated with the item, the reference list of descriptive terms including at least one item classification for each descriptive term and a confidence score for each item classification of each descriptive term, as required by claim 24. The '911 patent also does not teach or suggest compiling the item classifications and associated confidence scores for each found corresponding descriptive term in the reference list to determine a confidence score for each item classification. The '911 patent contains no teaching or suggestion of ranking the item classifications for each found descriptive term using the compiled confidence scores. Furthermore, the '911 patent contains no suggestion or motivation for combining any two or more of the steps of the method as claimed. Based on the foregoing, it is submitted that claim 24 is not anticipated by the '911 patent.

Claims 25-33 are dependent claims that each depend from independent claim 24. Consequently, each of these claims is at least allowable for the reasons noted with respect to independent claim 24. Each of these claims may also be patentable for other reasons, and the applicants reserve the right to assert any such reasons in the future.

Independent claim 34 is directed to a machine-readable medium stored thereon data representing sequences of instructions which, when executed by a machine, cause the machine to perform operations comprising: (a) selecting an attribute of an item, the item having a plurality of attributes, each attribute having a value and a predetermined weighting factor associated therewith; (b) comparing the value of the selected attribute of the item to a set of possible attribute values, the possible attribute values being associated respectively, with item classifications; (c) selecting at least one item classification for the item based on the comparison; and (d) determining a confidence score for each selected item classification for the item based on at least the weighting factor associated with the selected attribute.

It is respectfully submitted that the '911 patent does not anticipate the invention set forth in claim 34. The '911 patent, as discussed above, is directed to the classification of documents through statistical analysis of words and phrases contained therein against words and phrases of previously classified documents. The '911 patent contains no teaching or suggestion of selecting an attribute of an item, the item having a plurality of attributes, each attribute having a value or a predetermined weighting factor associated therewith. The '911 patent discloses selecting words or phrases from a document for use in classifying the document. The weighted product and intersection of the selected phrases and words with the significant phrases and words for each cluster are determined, as noted at column 13, lines 28-34, and at column 4 lines 51-58. The determination of classification is based on the placement within the statistical distribution for particular words or phrases according to a score which represents the relevance of each classification to the text entity. The '911 patent does not teach or suggest a plurality of attributes associated with an item, with each attribute having a value and a predetermined weighting factor associated therewith. To the contrary, the '911 patent analyzes a document to be classified and determines words or phrases which will be compared to the statistical distribution for various classifications. Any weighting which is given a particular word or phrase is given only after the document has been analyzed for words or phrases. Since the '911 patent does not teach or suggest a plurality of attributes associated with an item, with each attribute having a value and a predetermined weighting factor associated therewith, the '911 patent also does not teach or suggest determining a confidence score for each selected item classification for the item based on at least the weighting factor associated with the selected attribute. When making classifications

of documents, the '911 patent relies on the statistical characteristics of the words and phrases of the documents, and not a predetermined weighting factor associated with a selected attribute. Consequently, the '911 patent also does not teach or suggest comparing the value of the selected attribute of the item to a set of possible attribute values, the possible attribute values being associated respectively, with item classifications. Furthermore, the '911 patent contains no teaching or suggestion of selecting at least one item classification for the item based on the comparison. Additionally, the '911 patent contains no teaching or motivation to combine any two or more of the steps as claimed. Based on the foregoing, it is submitted that claim 34 is not anticipated by the '911 patent.

Claims 35-36 are dependent claims that each depend from independent claim 34. Consequently, each of these claims is at least allowable for the reasons noted with respect to independent claim 34. Each of these claims may also be patentable for other reasons, and the applicants reserve the right to assert any such reasons in the future.

Independent claim 37 is directed to an apparatus for classifying an item, the item having a plurality of attributes, each attribute having a value and a predetermined weighting factor associated therewith, the apparatus comprising: (a) a classification knowledge database containing a plurality of values, each associated with at least one category; and (b) a search engine to select an attribute of the item, to compare the value of the selected attribute of the item to a set of possible attribute values of the classification knowledge database, to select at least one item classification for the item based on the comparison, and to determine a confidence score for each selected item classification for the item based on at least the weighting factor associated with the selected attribute.

It is respectfully submitted that the '911 patent does not anticipate the invention set forth in claim 37. Similarly as discussed above with respect to claim 34, the '911 patent is directed to the classification of documents through statistical analysis of words and phrases contained therein against words and phrases of previously classified documents. The '911 patent contains no teaching or suggestion of an item having a plurality of attributes, each attribute having a value and a predetermined weighting factor associated therewith. Since the '911 patent does not disclose attributes having a value and a predetermined weighting factor, associated therewith, it also does not disclose a classification knowledge database containing a plurality of values, each

associated with at least one category, as required by the claim. The '911 patent also does not teach or suggest a search engine to select an attribute of the item, to compare the value of the selected attribute of the item to a set of possible attribute values of the classification knowledge database, to select at least one item classification for the item based on the comparison, and to determine a confidence score for each selected item classification for the item based on at least the weighting factor associated with the selected attribute. Based on the foregoing, it is submitted that claim 37 is not anticipated by the '911 patent.

Claims 38-39 are dependent claims that each depend from independent claim 37. Consequently, each of these claims is at least allowable for the reasons noted with respect to independent claim 37. Each of these claims may also be patentable for other reasons, and the applicants reserve the right to assert any such reasons in the future.

Submitted herewith is a Request for Extension of Time for two months, extending the period for response from February 21, 2004 to April 21, 2004, and a check in the amount of \$420.00 as the fee associated therewith. No additional fees are believed to be due with this response. In the event any such fees are due, please debit Deposit Account 08-2623.

The application now appearing to be in form for allowance, reconsideration and allowance thereof is respectfully requested.

Respectfully submitted,

HOLLAND & HART LLP

By: Kenneth C. Winterton

Kenneth C. Winterton
Registration No. 48,040
P.O. Box 8749
Denver, Colorado 80201-8749
(303) 473-2700, x2717

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